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THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

MINE SHAFT BREWING LLC, a Delaware  
limited liability company; TIMOTHY A.  
NEMECKAY, an individual; JOHN A.  
LOGAN, an individual; and CHARLIE V.  
WHITTINGTON, an individual,

Defendants.

**ORDER GRANTING [44] MOTION FOR  
ENTRY OF CONSENT JUDGMENT AS  
TO DEFENDANT JOHN A. LOGAN**

Case No. 2:21-cv-00457-DBB-JCB

District Judge David Barlow

The matter before the court is Plaintiff Securities and Exchange Commission's (the "SEC") Motion for Entry of Consent Judgment as to Defendant John A. Logan ("Mr. Logan").<sup>1</sup> On July 27, 2021, the SEC filed its Complaint.<sup>2</sup> The next day, the SEC and Mr. Logan consented to entry of judgment against him.<sup>3</sup> The consent agreement resolves Mr. Logan's liability in the instant case to include all injunctive relief and Mr. Logan consents to a civil penalty in the amount of \$45,000, pursuant to Section 20(d) of the Securities Act of 1933 and Section 21(d)(3) of the Securities Exchange Act of 1934. Under Rule 54(b) of the Federal Rules of Civil Procedure, the court may direct entry of final judgment as to one or more parties if the court determines that there is no just reason for delay.<sup>4</sup>

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<sup>1</sup> ECF No. 44.

<sup>2</sup> ECF No. 2.

<sup>3</sup> ECF No. 6.

<sup>4</sup> Fed. R. Civ. P. 54(b).

Having considered Plaintiff's motion, Mr. Logan's consent agreement, and finding that there is no just reason for delay, **IT IS HEREBY ORDERED** that Plaintiff's Motion for Entry of Consent Judgment as to Defendant John A. Logan<sup>5</sup> is GRANTED. Final judgment will be entered against John A. Logan pursuant to the accompanying order.

Signed January 23, 2023.

BY THE COURT



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David Barlow  
United States District Judge

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<sup>5</sup> ECF No. 44.